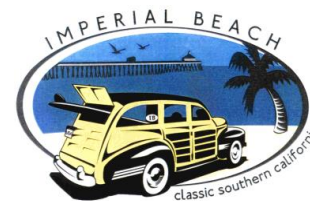




A G E N D A

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY



DECEMBER 17, 2008

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

**CLOSED SESSION MEETING – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.**

**THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH REDEVELOPMENT AGENCY,
PLANNING COMMISSION, AND PUBLIC FINANCING AUTHORITY**

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

CLOSED SESSION CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Name of Case: Nadine G. Braudaway vs. City of Imperial Beach

Case No. 37-2007-00076449-CU-EI-SC

Pursuant to Government Code Section 54956.9(a)

Name of Case: Emma Magana vs. City of Imperial Beach

Case No. 37-2007-00076925-CU-PO-CTL

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(b)

Number of Potential Cases: 2

RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)

REGULAR MEETING CALL TO ORDER BY MAYOR

ROLL CALL BY CITY CLERK

PLEDGE OF ALLEGIANCE

AGENDA CHANGES

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE & COMMUNITY ANNOUNCEMENTS

COMMUNICATIONS FROM CITY STAFF

Any writings or documents provided to a majority of the City Council/RDA/Planning Commission/Public Financing Authority regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.

PUBLIC COMMENT - Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1 - 2.6) - All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.

2.1 MINUTES.

City Manager's Recommendation: Approve the minutes of the joint meeting of the City Council and Design Review Board meeting of October 8, 2008.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Manager's Recommendation: Ratify the following registers: Accounts Payable Numbers 67599 through 67754 with the subtotal amount of \$957,145.17; and Payroll Checks 40444 through 40501 for the pay period ending 11/20/08 with the subtotal amount of \$152,386.04; for a total amount of \$1,109,531.21.

2.3 ROTATION OF MAYOR PRO TEMPORE DUTIES. (0410-13)

City Manager's Recommendation: Appoint Councilmember Lorie Bragg as Mayor Pro Tempore for a one-year period pursuant to rotational requirements and be seated at the first Council meeting in January pursuant to requirements as stated under Council Policy No. 112.

2.4 RESOLUTION NO. R-08-165 – APPROVING STREET IMPROVEMENTS, RDA PHASE 3 (CIP S04-108) CHANGE ORDER NO. 3 WITH NASLAND ENGINEERING. (0720-25)

City Manager's Recommendation: Adopt resolution.

2.5 RESOLUTION NO. 2008-6704 – AMENDING THE FY 2008-09 BUDGET TO ADD AN ADDITIONAL PART-TIME RESIDENTIAL FIRE/SAFETY INSPECTOR AND DESIGNATE \$10,000 FROM UNDESIGNATED RESERVES FOR THIS PURPOSE. (0330-30 & 0520-05)

City Manager's Recommendation: Adopt resolution.

2.6 RESOLUTION NO. 2008-6705 – APPROVING A SIDE LETTER AGREEMENT WITH THE COUNTY OF SAN DIEGO DEPARTMENT OF GENERAL SERVICES FOR INCREASED FOOTPRINT. (0150-20 & 0910-50)

City Manager's Recommendation: Adopt resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING & ADOPTION (4.1)

4.1 ORDINANCE NO. 2008-1075 – MAKING CERTAIN CLARIFYING CHANGES TO TITLE 2 OF THE IMPERIAL BEACH MUNICIPAL CODE. (0410-95)

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2008-1075, an Ordinance of the City Council of the City of Imperial Beach, California, making certain clarifying changes to Title 2 of the Imperial Beach Municipal Code; and
3. City Clerk reads title of Ordinance No. 2008-1075; and
4. Motion to dispense the second reading and adopt Ordinance No. 2008-1075 by title only.

PUBLIC HEARINGS (5.1 - 5.4)

5.1 RESOLUTION NO. 2008-6702 – FORMATION OF AN UNDERGROUND UTILITY DISTRICT – ELM AVENUE AND 7TH STREET UTILITY UNDERGROUND DISTRICT – CIP PROJECT NO. S08-901. (0810-20)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt resolution.

5.2 THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT (BID) FY 2008-09 BUDGET AND ACCEPT AGREED UPON PROCEDURES REVIEW FOR FY 2005-06 AND 2006-07, AND ANNUAL ACTIVITIES REPORT FOR FY 2005-06, 2006-07 AND 2007-08. (0465-20)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive public testimony and accept the written and verbal report from the BID Board on the FY 2005-06 and 2006-07 Agreed Upon Procedures Review, FY 2005-06, 2006-07, 2007-08 Activity Reports, and FY 2008-09 budget as presented;
3. Close public hearing; and
4. Accept the Agreed Upon Procedures Review and Activity Reports, and approve the BID FY 2008-09 budget.

5.3 KEVIN HILL, FOR I.B. BEAUTIFUL (APPLICANT)/SILVER STRAND PLAZA, LLC (OWNER); APPROVING ADMINISTRATIVE COASTAL PERMIT (ACP 080033), CONDITIONAL USE PERMIT (CUP 080034), DESIGN REVIEW CASE (DRC 080035), SITE PLAN REVIEW (SPR 080036) TO PROVIDE A CERTIFIED FARMER'S MARKET LOCATED AT 600 PALM AVENUE (SILVER STRAND PLAZA) IN THE C-1 (GENERAL COMMERCIAL) ZONE. MF 985. (0130-30 & 0600-20)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2008-6701, approving Administrative Coastal Permit (ACP 080033), Conditional Use Permit (CUP 080034), Design Review Case (DRC 080035), and Site Plan Review (SPR 080036), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

5.4 SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM ("SCOUP") COASTAL DEVELOPMENT PERMIT (CP 080052) MF 996. (0220-70)

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing; and
4. Adopt Resolution No. 2008-6698, approving a Regular Coastal Permit (CP 080052) for the SCOUP project, which makes the necessary findings and provides protocols, parameters, and conditions of approval in compliance with local and state requirements.

REPORTS (6.1 - 6.5)

6.1 PALM AVENUE COMMERCIAL CORRIDOR MASTER PLAN. (0620-90 & 0640-90)

City Manager's Recommendation:

1. Consider the presentation and provide comments;
2. Direct staff and MIG to proceed to develop a final draft Palm Avenue Commercial Corridor Master Plan after incorporating public comments from the third community meeting; and
3. Direct staff and MIG to present the draft Palm Avenue Commercial Corridor Master Plan at the appropriate time.

6.2 RESOLUTION NO. R-08-166 – AMENDMENT TO THE CAPITAL IMPROVEMENT BUDGET FY 2004-09 – DEVELOPMENT OF 9TH STREET & PALM AVENUE SHOPPING CENTER FOR \$3,262,000 AND AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTIES LOCATED AT 741 THRU 849 PALM AVENUE (APN 626-250-04, 05 & 06) AND 735 PALM AVENUE (APN 626-250-003). (0480-10 & 0640-20)

City Manager's Recommendation: Adopt resolution.

6.3 RESOLUTION NO. 2008-6703 – AWARDED CONTRACT FOR DAHLIA AVENUE AND 5TH STREET OVERLAY CIP PROJECT. (0720-25)

City Manager's Recommendation:

1. Receive report and
2. Adopt resolution.

6.4 ANNUAL CITY COUNCIL REPRESENTATION ASSIGNMENTS. (0410-50)

City Manager's Recommendation:

1. Mayor appoint/change City Council Representation Assignments for 2009 in accordance with Chapter 2.18.010.C of the I.B.M.C. and
2. City Council approve Mayor's appointments and changes to City Council Representation Assignments for 2009.

6.5 2009 CITY COUNCIL MEETING AND WORKSHOP CALENDAR. (0410-05)

City Manager's Recommendation: Approve the 2009 City Council Calendar which includes City Council Strategic Workshops on January 13 and 14, 2009, and City Council quarterly workshops on April 21, 2009, July 21, 2009 and October 13, 2009. Staff further recommends rescheduling the September 16, 2009 City Council meeting to September 23, 2009 and canceling the January 6, 2010 City Council meeting.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

MAYOR/COUNCIL REPORTS ON ASSIGNMENTS AND COMMITTEES

ADJOURNMENT

The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT

www.cityofib.com.

Copies of this notice were provided on December 12, 2008 to the City Council, San Diego Union-Tribune, I.B. Eagle & Times, and I.B. Sun.

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF IMPERIAL BEACH)

AFFIDAVIT OF POSTING

I, Jacqueline M. Hald, City Clerk of the City of Imperial Beach, hereby certify that the Agenda for the Regular Meeting as called by the City Council, Redevelopment Agency, Planning Commission, and Public Financing Authority of Imperial Beach was provided and posted on December 12, 2008. Said meeting to be held at 5:00 p.m. December 17, 2008, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on December 12, 2008 at 1:00 p.m.

Jacqueline M. Hald, CMC
City Clerk